

Message

From: Helmich, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1E0BB402960C4CD98B7F2E88BF1B01E1-HELMICH, RI]
Sent: 3/3/2020 6:59:04 PM
To: Wingard, Joseph (Mark) [Wingard.Joseph@epa.gov]
Subject: FW: US Ecology
Attachments: 2020-01-10 Stipulated Settlement Agreement (Fully Executed).pdf

From: Natalie.Creed@deq.idaho.gov [mailto:Natalie.Creed@deq.idaho.gov]
Sent: Tuesday, March 03, 2020 11:52 AM
To: Helmich, Richard <Helmich.Richard@epa.gov>
Subject: RE: US Ecology

Richard,

DEQ requests NEIC's review of the Baker Risk report for the US Ecology Idaho explosion that occurred November 17, 2018, and any written comments, rebuttal, or feedback NEIC can provide on the report and as to the potential cause of the explosion. This will aid DEQ in developing the appropriate RCRA enforcement follow-up to the incident. This does not need to be a detailed, lengthy review or set of comments. USEI contends they were not at fault in the incident, and that the original generator and/or broker of the waste are at fault for failing to disclose other constituents that were in the waste in addition to magnesium. However, information in the waste profile from the generator does appear to DEQ to indicate the presence of other constituents. As part of the review, we would appreciate NEIC's feedback on whether USEI's/Baker Risk's theory that it was a steam explosion is plausible. OSHA did not agree with that theory, and believes it was a hydrogen explosion (see attached enforcement documents from OSHA). We're not sure we agree with USEI's/Baker Risk's theory either, and we're not sure the exact cause matters. It is my hope NEIC's review and comments may assist DEQ in determining whether we should focus our enforcement review on the generator and/or broker of the waste, or USEI, or both.

Please let me know if you need more info.

Thank you,

Natalie



Natalie Creed | Hazardous Waste Bureau Chief
Idaho Department of Environmental Quality
1410 N. Hilton St., Boise, Idaho 83706
Office: (208) 373-0506
<http://www.deq.idaho.gov/>

Our mission is to protect human health and the quality of Idaho's air, land, and water.

From: Helmich, Richard [mailto:Helmich.Richard@epa.gov]
Sent: Friday, February 28, 2020 8:52 AM
To: Natalie K. Creed
Subject: RE: US Ecology

Natalie,

I've been in touch with Mark Wingard. He says he's tried to touch base with you a few times.

For us to move forward we need a blurb in writing on how you'd like us to assist you. This could be something like, "Written rebuttal to the Baker Risk report." Whatever you have in mind for us to assist you is ok. If you'd like to chat with Mark, myself, and anyone else like attorneys from Idaho to put together some plan of response is fine.

We're happy to work with you and others from ID-DEQ, but we can't start without a plan and goal in mind.

Richard

From: Natalie.Creed@deq.idaho.gov [<mailto:Natalie.Creed@deq.idaho.gov>]
Sent: Tuesday, January 28, 2020 3:39 PM
To: Callaghan, Marc <Callaghan.Marc@epa.gov>
Cc: Helmich, Richard <Helmich.Richard@epa.gov>
Subject: RE: US Ecology

Ex. 6 PP / Ex. 7(C)

Yes, we can get that to Richard.

Thank you,

Natalie



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From: [Ex. 6 PP / Ex. 7\(C\)](#)
Sent: Tuesday, January 28, 2020 3:37 PM
To: Natalie K. Creed
Cc: Helmich, Richard
Subject: US Ecology

UNCLASSIFIED//FOR OFFICIAL USE ONLY//LAW ENFORCEMENT SENSITIVE (U//FOUO//LES)

Reference No.: [case/lead # here]

Natalie-

I am writing to you today regarding the US Ecology Matter

Did DEQ receive any information from US Ecology regarding their investigation; perhaps something called the Baker Risk Report?

If so, we would like to get that over to the NEIC contact (copied in this email) Richard Helmich.

Respectfully,

Ex. 6 PP / Ex. 7(C)

National Forensics Coordinator

Ex. 6 PP / Ex. 7(C)

***Form 9-01 requests should be submitted to the "CID-Form9" Outlook group email.

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